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Congress of the United States
House of Representatives
Washington, DC 20515

February 28, 1991

Chairman Kenneth M. Carr
U.S. Nuclear Regulatory Commission
Rockville, MD 20555

Dear Chairman Carr:

We are writing to voice our support for prompt action by the Commission to improve the protection of licensed reactors against acts of sabotage and terrorism. Specifically, there should be an upgrade of the protections against truck and boat bombs and attack by more sophisticated, larger and better-armed groups than now anticipated in the Commission's design basis threat, as proposed in the pending Petition for Rulemaking (Docket No. PRM-73-9).

These matters were explored in depth at an oversight hearing of the Interior and Insular Affairs Subcommittee on General Oversight and Investigations in March 1988, and they are made all the more urgent by the Persian Gulf War. The U.S. bombing of the Iraqi nuclear reactors, coupled with Saddam Hussein's calls for acts of terrorism against the interests of the United States and its coalition partners, raise the possibility of a reprisal strike against U.S. reactors. Since nuclear power reactors are vulnerable to truck-bomb attack with potentially catastrophic consequences (as affirmed in the Subcommittee hearing and by a Sandia National Laboratory study commissioned by the NRC), prudence dictates precautionary action by the Commission even in the absence of a specific identified threat. Such action would protect against the possibility that U.S. intelligence would not pick up or would incorrectly evaluate such a threat.

The measures requested in the petition -- anticipating a larger number of better-armed attackers and installing permanent protection against vehicular bombs -- are prudent and essential to meet the growing sophistication and capabilities of international terrorists. We strongly urge you to adopt the proposed changes in order to substantially improve the protection of licensed nuclear reactors at relatively low cost.

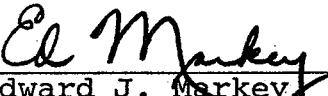
Finally, in light of the outbreak of hostilities and, in particular, the destruction of Iraq's reactors, we also ask you to reconsider the need for immediate implementation of short-term measures against truck bombs. Specifically, we urge you to reverse the January 15, 1991 decision to deny the Petitioner's request for emergency implementation of the contingency plans for protection against such attacks that the Commission ordered

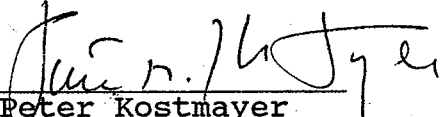
Chairman Kenneth M. Carr
February 28, 1991
Page 2

utilities to prepare in 1989, and for prompt determination of the adequacy of these plans.

Attached to this letter is a list of questions bearing upon the Petition and upon consideration of the need for remedial legislation. We would appreciate a prompt response to these inquiries. Thank you for your attention to this urgent matter.

Sincerely,


Edward J. Markey
Member of Congress


Peter Kostmayer
Member of Congress

QUESTIONS FOR NRC THREAT OF SABOTAGE TO NUCLEAR REACTORS

1. On what basis did the NRC staff decide on January 15, 1991 not to require licensees to activate contingency plans prepared pursuant to Generic Letter 89-07 to protect nuclear reactors against truck bombs? Provide all documents related to the making of this decision.

2. To what extent do the NRC and the Executive Branch believe that U.S. destruction of Iraqi nuclear facilities increases the possibility that U.S. nuclear power plants and other nuclear reactors and facilities will be targeted by terrorists sympathetic to or directed by Iraq?

A. Did the NRC consider activating the contingency plans (prepared pursuant to Generic Letter 89-07) following Gen. Colin Powell's announcement on January 23, 1991, that the U.S. had destroyed Iraq's two operating reactors?

B. Provide any documents related to consideration of this matter.

3. What has the NRC done to assess the adequacy of the contingency plans (prepared pursuant to Generic Letter 89-07)? Provide all documents related to such assessments.

A. What drills have been conducted by licensees to measure the effectiveness of these plans?

B. What checks have been made by NRC to ensure that all materials and equipment could be deployed within the specified time after identification of a credible threat?

4. In what specific ways is the Commission consulting and coordinating with the Executive Branch with regard to intelligence gathering and threat identification?

A. What degree of confidence does the Commission or the Executive Branch assign to intelligence agencies identifying a credible threat against one or more nuclear powerplants in advance of an actual attack?

B. What degree of confidence does the Commission assign to licensees successfully thwarting a truck bomb attack after being notified of a credible threat?

C. What degree of confidence does the Commission assign to licensees successfully thwarting a truck bomb attack in the absence of such prior notification?

5. Identify the licensees that voluntarily have informed the

A. Identify, by licensee and plant, all such measures taken.

6. In view of the potential radiological releases from "unacceptable damage" projected by the Sandia report prepared for the Commission (Chapman and Bennett, "Analysis of Truck Bomb Threat for Nuclear Facilities," February 21, 1984) in the event of a truck bomb attack, is the Commission satisfied that licensees located near major population centers have taken adequate measures to provide security against such attack?

A. Is the Commission satisfied that such licensees have taken adequate additional measures against other forms of attack?

B. Describe, by licensee and plant, the additional measures taken against truck bomb and other forms of attack.

7. Identify all sabotage and attack threats to licensees since August 2, 1990.

A. How many were specifically related to the Gulf crisis?

B. On what basis has the NRC determined these threats to be non-credible?

8. NRC staff estimated in 1986 that installation of a vehicle denial system (road-access and perimeter-access denial systems) would cost between \$600,000 and \$1.2 million, plus annual maintenance costs of \$35,000 to \$70,000. What was the basis for the staff's conclusion in SECY 86-101 that ordering licensees to install these systems would not meet the Commission's backfit rule requirements?

9. How does the design basis threat for protection of licensed reactors against radiological sabotage compare with the level of security established for protection of

A. DOE defense-program reactors;

B. nuclear power reactors in France, Germany and Japan?